

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8227

IN THE MATTER OF:

Served August 13, 2004

TINGEM HEALTH CARE SERVICES INC.,)
Suspension and Investigation of)
Revocation of Certificate No. 512)

Case No. MP-2004-103

This matter is before the Commission on respondent's response to Order No. 8138, served July 6, 2004.

Under the Compact, a certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.¹ Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 512 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 512 became invalid on May 20, 2004, when the \$1.5 million WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 8014 noted the automatic suspension of Certificate No. 512 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 512 and gave respondent thirty days to replace the expired endorsement or face revocation of Certificate No. 512. Respondent submitted a \$1.5 million replacement endorsement on June 10, 2004. The effective date of the new endorsement is May 22, 2004. This means that respondent was without insurance coverage for two days, from May 20, 2004, through May 21, 2004.

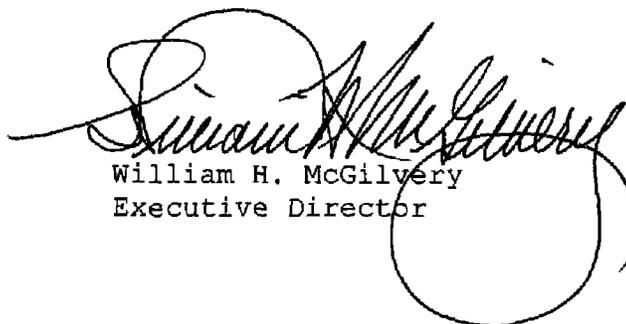
Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 512 as commanded by Order No. 8014. We gave respondent thirty days to furnish proof that respondent ceased operations as of May 20, 2004. Inasmuch as respondent's only tariff is for service rendered to clients of the District of Columbia Department of Health, Medical Assistance Administration, (DC Medicaid), such proof was to include confirmation from DC Medicaid.

¹ Compact, tit. II, art. XIII, § 7(g).

On July 30, 2004, the Commission received written confirmation from DC Medicaid that it has not received any claims from respondent for services rendered on or after May 20, 2004. Based on this evidence, the suspension shall be 'lifted and this proceeding terminated.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, MILLER, AND GUNS:



William H. McGilvery
Executive Director